

REMARKS

These remarks follow the order of the paragraphs of the office action. Relevant portions of the office action are shown indented and italicized.

This is responsive to the non-Final Office Communication dated March 7, 08. The claim listing is a clean listing of the claims, cleaning the claims submitted with the amendment after FINAL on March 16, 2007.

It is noted that an appeal brief was filed for this application. No response was received from the USPTO regarding the appeal. It is not known whether this communication is a result of or takes the appeal brief into consideration.

Claims 38 and 39 are added to protect particular embodiments of this invention. These are particularly narrow, and further have capability of provide implementation which are selective to an implementor. The selectivity further makes these claims extremely narrow but advantageous to the implementor.

DETAILED ACTION

1. This is in response to communication filed on 12/24/07 in which claims 1-37 are pending.

In response, the applicant respectfully states that as noted above, an appeal brief was filed for this application. No response was received from the USPTO regarding the appeal. The date 12/24/07 shown above is a date related to the appeal brief.

Claim Rejections 35 USC § 101

2. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof may obtain a patent therefor, subject to the conditions and requirements of this title.

Claim 30 is rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter, computer programs claimed as computer listings per se, i.e., the descriptions or expressions of the programs, are not physical “things.” They are neither computer components nor statutory processes, as they are not “acts” being performed. Such claimed computer programs do not define any structural and functional interrelationships between the computer program and other claimed elements of a computer which permit the computer program’s functionality to be realized.

In response, the applicant respectfully states that claim 30 is amended to more directly show that it is indeed physical and statutory. This overcomes the rejection under 35 U.S.C. 101.

Response to Arguments

3. As per claims 1-37, Applicants arguments have been fully considered but they are not persuasive.

In response to applicant's argument that the examiner's conclusion of obviousness is based upon improper hindsight reasoning, it must be recognized that any judgment on obviousness is in a sense necessarily a reconstruction based upon hindsight reasoning. But so long as it takes into account only knowledge which was within the level of ordinary skill at the time the claimed invention was made, and does not include knowledge gleaned only from the applicant's disclosure, such a reconstruction is proper. See In re McLaughlin, 443 F.2d 1392, 170 USPQ 209 (CCPA 1971).

In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., the combined references are not concerned with the enabling of remote control of services at a residential network without the necessity of a service provider) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See In re Van Geuns, 988 F.2d 1181, 26 LJSPO2d 1057 (Fed. Cir. 1993).

In response, the applicant respectfully states that they stand with the arguments made in the previous response, for all claims which are presently under appeal. However, claims 1 and 29 are further amended to bring this application to allowance for these claims.

The cited art to Hefter US Patent 7092699, filed: April 11, 2001, is entitled "Seamless wireless phone access service." The Hefter abstract reads:

1 A method, apparatus, and article of manufacture for synchronizing the memory of a
2 wireless telephone with a networked computer over a wireless link. A communication
3 network in accordance with the present invention, includes a plurality of portable
4 wireless telephones; a plurality of base stations; and at least one controller coupled to
5 the Internet. The portable wireless telephone is adapted to operate a program that
6 stores information locally and automatically synchronizes the local memory with a host
7 computer on the Internet. In operation, when a wireless telephone user receives a
8 telephone call or data from the Internet, the number or the information is stored in the
9 telephone memory and then automatically stored on a computer coupled to the
10 Internet. In another embodiment, a computer coupled to the Internet is adapted to
11 automatically synchronize a portion of the information stored in its memory with that
12 of a portable wireless telephone. The Internet computer may in effect be used to
13 reconstitute the wireless telephone memory.

14 *Applicant argues that Hefter fails to teach "connecting to a*
15 *serving entity attached to said home data distribution network".*
16 *However, Hefter clearly teaches wherein Base station 116 is*
17 *comprised of an antenna 118 and a data port 120. RF signals*
18 *transmitted by wireless telephones 100 are received by base station*
19 *116 via antenna 118 and then transmitted to a corresponding*
20 *controller 112 via data port 120. Base station 116 is also adapted to*
21 *receive signals from controller 112 via data port 120 and to transmit*
22 *them to an in-range wireless telephone 100 via antenna 118. Base*
23 *station 116 may have other components, as well, but these are not shown to*
24 *facilitate description of the unique aspects of this embodiment of the*
25 *invention. The hardware arrangement of this device, as well as other*
26 *components discussed in this specification is intentionally shown as*
27 *general, and is meant to represent a broad variety of architectures, which*
28 *depend on the particular device used. Base station 116 can further*
29 *be used to exchange or share data with a computer coupled to computer*
30 *network 104. For example, a wireless telephone user may wish to upload*
31 *information from wireless telephone 100 to computer 117. A user at computer 117*
32 *may correspondingly, download information from computer 117 to wireless*
33 *telephone too. In operation, information is routed from computer 117 to PSIN*
34 *110 and controller 112 before arriving at base station 116 for transmission to*
35 *wireless telephone 100. When data are uploaded from wireless telephone 100 to*
36 *computer 117, the information travels from wireless telephone 100 to base station*

116 to controller 12, to PSTN interface 110 and then onto computer 117 (See col. 5, lines 25-52).

Claim Rejections 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The cited art to Sawada US Patent 6735619, filed: April 11, 2001, is entitled "network gateway apparatus and home network device". The Sawada abstract reads:

A home network gateway apparatus controls information of home network devices connected to an IEEE 1394 bus in a unified manner in a household. When a device is connected to the home network, the home network gateway apparatus of the present invention acquires information of each device and posts the information on a built-in WWW server in a list menu format. The user can remotely control home network devices individually from an apparatus on another network via the list menu.

In response, the applicant respectfully states that they stand with arguments previously made and as are under appeal

5. Claims 1-2, 4-26 and 27-37 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 7,092,699 to Hefter in view of U.S. Patent No. 6,735,619 to Sawada.

a. As per claims 1, 27-30, Hefter teaches a service interaction method for a user to interacting with at least one remote service accessible through a home data distribution network, said home data distribution network comprising an aggregation of at least one communications media and at least one communications protocol & used access said at least one remote service from a serving entity, the step of interacting comprising: employing only one of a cellular voice network and a PSTN, said user connecting a serving entity attached to said home data distribution network using a client device attached to a wireless, circuit-switched, voice telephony network (See col. 4, lines 43-54, col. 5, lines 25-52 and col. 9, lines 34-54). However, Hefter fails to teach obtaining and

1 *viewing at least one remote service from accessible remote services from said*
2 *serving entity accessible remotely via said home network from said serving entity*
3 *using least one of said communications media and one of said communications*
4 *protocols; selecting said at least one remote service from said list; selecting said*
5 *at least one communications media and at least one communications protocol*
6 *that said selected at least one service uses; and accessing and viewing said least*
7 *one remote service in obtaining desired results.*

8 *Sawada teaches a home network gateway apparatus and a home network*
9 *device. Furthermore, Sawada teaches obtaining and viewing at least one remote*
10 *service from accessible remote services from said serving entity accessible*
11 *remotely via said home network from said serving entity using least one of said*
12 *communications media and one of said communications protocols (See col. 1*
13 *lines 39-43, col. 2, lines 16-50); selecting said at least one remote service from*
14 *said list (See col. ; selecting said at least one communications media and at least*
15 *one communications protocol that said selected at least one service uses; and*
16 *accessing and viewing said least one remote service in obtaining desired results*
17 *(See coo. 4, lines 45-56).*

18 *It would have been obvious to one with ordinary skill in the art at the time*
19 *the invention was made to incorporate the teaching of Sawada in the claimed*
20 *invention of Hefter in order to make remotely control home devices (Sec col. 1,*
21 *lines 30-34).*

22 In response, the applicant respectfully states that Claims 1-2, 27-37 are apparently not made
23 unpatentable by the invention of Hefter and Sawada. The present invention, claimed in Claims
24 1-2, 27-37"

25 "Provides methods and apparatus for accessing and controlling services, such as home
26 automation services, visually employing established wireless, cellular telecommunication
27 technologies for voice communications. In example embodiments, users of personal
28 portable devices connect to services over dial-up, wireless, cellular, circuit-switched voice
29 telephone networks, receive and display listings of available services and use these listings
30 to access and manipulate the services."

31 The referenced cited art to Hefter, US Patent 7,092,699, filed: April 11, 2001, is entitled:

32 "Seamless wireless phone access service." The Hefter abstract reads:

33 "A method, apparatus, and article of manufacture for synchronizing the memory of a
34 wireless telephone with a networked computer over a wireless link. A communication
35 network in accordance with the present invention, includes a plurality of portable wireless

1 telephones; a plurality of base stations; and at least one controller coupled to the Internet.
2 The portable wireless telephone is adapted to operate a program that stores information
3 locally and automatically synchronizes the local memory with a host computer on the
4 Internet. In operation, when a wireless telephone user receives a telephone call or data
5 from the Internet, the number or the information is stored in the telephone memory and
6 then automatically stored on a computer coupled to the Internet. In another embodiment,
7 a computer coupled to the Internet is adapted to automatically synchronize a portion of
8 the information stored in its memory with that of a portable wireless telephone. The
9 Internet computer may in effect be used to reconstitute the wireless telephone memory”.

10 The other referenced art cited to Sawada , US Patent 6,735,619, filed: February 3, 2000, is
11 entitled: “Home network gateway apparatus and home network device”. The Sawada abstract
12 reads:

13 “A home network gateway apparatus controls information of home network devices
14 connected to an IEEE 1394 bus in a unified manner in a household. When a device is
15 connected to the home network, the home network gateway apparatus of the present
16 invention acquires information of each device and posts the information on a built-in
17 WWW server in a list menu format. The user can remotely control home network devices
18 individually from an apparatus on another network via the list menu”.

19 Thus, Hefter is concerned with synchronizing the memory of a wireless telephone with a
20 networked computer over a wireless link. Sawada is concerned with providing a home network
21 gateway apparatus controls information of home network devices connected to an IEEE 1394 bus
22 in a unified manner in a household. The combined references are not concerned with the enabling
23 of remote control of services at a residential network without the necessity of a service provider
24 as in claims 1-37.

25 Furthermore, there is apparently no reason to make the combination of Hefter and Sawada except
26 in an effort to apparently use hindsight in an attempt to find and/or make all the elements of
27 Claims 1-2, 27-37 obvious. In order to make a combination, at least one of the references in the

1 combination must cite the other. One skilled in the art would not combine an invention of Hefter
2 in primary US Class **455/414.1** with the invention of Sawada in primary US Class **709/212**.
3 Besides even when combined the combination does not teach, allude to or make obvious the
4 presently claimed invention in Claims 1-2, 27-37. Thus Claims 1-2, 27-37 are allowable over the
5 combined art.

6 In further response, the applicants respectfully states that exception is taken with the reading of
7 the elements of claim 1 and Hefter and/or Sawada. Claim 1 as further amended reads:

8 1. A service interaction method comprising a user interacting with at least one remote
9 service accessible through a home data distribution network, said home data distribution
10 network comprising an aggregation of at least one communications media and at least one
11 communications protocol used to access said at least one remote service from a serving
12 entity, the step of interacting comprising:

13 enabling remote control of services at a residential network without the necessity of a
14 service provider;

15 employing only one of a cellular voice network and a PSTN, said user connecting to a
16 serving entity attached to said home data distribution network using a client device
17 attached to a wireless, circuit-switched, voice telephony network,

18 obtaining and viewing a list of at least one remote service from accessible remote services
19 from said serving entity accessible remotely via said home network from said serving
20 entity using at least one of said communications media and one of said communications
21 protocols;

22 selecting said at least one remote service from said list;

23 selecting said at least one communications media and at least one communications
24 protocol that said at least one remote service uses; and

accessing and viewing said at least one remote service in obtaining desired results.

Firstly, a review of Hefter, shows that Hefter fails to teach "a service interaction method for a user to interacting with at least one remote service accessible through a home data distribution network, said home data distribution network comprising an aggregation of at least one communications media and at least one communications protocol used access said at least one remote service from a serving entity," as the office communication states above. Hefter [col. 2, lines 4-11] teaches synchronization, in particular for "providing automatic synchronization of a wireless device with a host computer over a wireless network. More specifically, in one embodiment, a system and method consistent with the present invention synchronizes a wireless device having personal organizer and directory functionality with a host computer having the same or similar functionality over a wireless network."

The office communication cited portion of Hefter, (See col. 4, lines 43-54, col. 9, lines 34-54), shows that Hefter fails to teach or make obvious even the first elements of claim 1.. Hefter col. 4, lines 43-54, reads:

"Referring to FIG. 1, an exemplary communication network system 10 in which the present invention may be implemented is disclosed. System 10 is comprised of a plurality of wireless telephones 100, a wireless sub-network 102, a network interface 101, and a computer network 104. Wireless sub-network 102 is further comprised of a plurality of base stations 116 and a controller 112. Computer network 104 is further comprised of a Public Switched Telephone Network (PSTN) 110, a plurality of telephones represented by telephone 111, and a plurality of computers represented by computer 117. While not shown, it is understood that computer 117 could also represent the Internet). Network system 10 may have other components/configurations, but these are not shown to facilitate description of the unique aspects of this embodiment of the invention."

Hefter col. 9, lines 34-54 read:

"FIG. 10 shows a detailed flow diagram of the process performed when a user of a wireless telephone 100 dials a number for a computer 117 on network 104. As shown in step 1010, when a user initiates an access request (dials the number to a network interface corresponding to computer 117, or speaks command into user interface 214), the request is transmitted to public switch 140. In step 1020, public switch 140 issues a request to CI server 144 requesting that the CI server 144 provide the public switch with instructions as

1 to what to do with the dialing request. CI server 144 determines whether there are any
2 available ports on the multiplexer/demultiplexer 142 (step 1030). (Note, there can be a
3 dialog between the CTI server 144 and the multiplexer/demultiplexer 142 to determine the
4 appropriate terminating port and associated telephone number). If there are available ports
5 (step 1040), CTI server 144 instructs the switch 140 to redirect the call to a telephone
6 number representing a free port on multiplexer/demultiplexer 142. The
7 multiplexer/demultiplexer 142 will then establish the path to computer 117 and
8 information will flow freely between wireless telephone 100 and the computer 117."

9 Although, these portions use words and some phrases as in claim 1, the words are not combined
10 to make the of the steps of interacting or the step employing of claim 1. Hefter does not make
11 obvious "a user interacting with at least one remote service accessible through a home data
12 distribution network, said home data distribution network comprising an aggregation of at least
13 one communications media and at least one communications protocol used to access said at least
14 one remote service from a serving entity." Hefter is not concerned with interacting with a remote
15 service. Hefter is not concerned with a remote service accessible through a home data
16 distribution network being an aggregation of a communications media and a communications
17 protocol used to access the remote service from a serving entity. Hefter is not concerned with
18 employing **only one of** a cellular voice network and a PSTN. Hefter is not concerned with a user
19 connecting to a serving entity attached to a home data distribution network using a client device
20 as in claim 1.

21 Similarly, exception is taken with the office communication statement regarding the teaching of
22 claim 1 elements by Sawada (See col. 1, lines 39-43, col. 2, lines 16-50). Sawada col. 1, lines
23 39-43, reads:

24 "Then, when accessed by a device incorporating a WWW browser on another network,
25 the home network gateway apparatus sends necessary information to the device and
26 displays a list of home network devices on the display of the device."

27 Sawada col. 2, lines 16-50, reads:

28 "In another mode of the home network gateway apparatus of the present invention, when
29 instructed by an apparatus incorporating a WWW browser on the home network or a
30 network other than the home network to remotely control the home network device via
31 the list menu, the home network gateway apparatus sends control information to the home
32 network device based on the device operation information and makes the device execute
33 the operation as instructed.

1
2 This makes it possible to remotely control the home network device via the homepage.
3

4 In another mode of the home network gateway apparatus of the present invention, if a
5 device is connected to the home network, the home network gateway apparatus acquires
6 identification information and download server address information output from the home
7 network apparatus. The home network gateway apparatus then accesses the download
8 server based on the address information and downloads and stores the screen creation
9 information and device operation information on the home network device. The home
10 network gateway apparatus then posts information of all devices connected to the home
11 network in a list menu form on a built-in WWW server.
12

13 In another mode of the home network gateway apparatus, if connection of a home
14 network device to the home network is canceled, the home network gateway apparatus
15 automatically deletes the information of the device from the list menu.
16

17 In another mode of the home network gateway apparatus, when instructed by an
18 apparatus incorporating a WWW browser on the home network or a network other than
19 the home network to remotely control the home network device via the list menu, the
20 home network gateway apparatus sends control information to the home network device
21 based on the device operation information and makes the device execute the operation as
22 instructed.

23 A review of these portions of Sawada shows that Sawada does not teach, allude to or make
24 obvious the other steps of claim 1 for obtaining, selecting or accessing of claim 1. Sawada does
25 not teach, allude to or make obvious a step of obtaining and viewing a list of at least one remote
26 service. Sawada's list is "a list of home network devices on the display of the device." Sawada
27 does not teach, allude to or make obvious "accessible remote services from a serving entity
28 accessible remotely via said home network from said serving entity using at least one of said
29 communications media and one of said communications protocols." Sawada does not teach,
30 allude to cannot make obvious selecting a remote service from a list Sawada doesn't have.
31 Sawada does not teach, allude to or make obvious selecting a communications media and a
32 communications protocol that a remote service uses. Finally Sawada does not teach, allude to or
33 make obvious a step of "accessing and viewing said at least one remote service in obtaining
34 desired results." Thus claim 1 and all claims that depend on claim 1 are allowable over the cite
35 combined art.

1 *b. As per claim 2, Hefter teaches the claimed invention as described above.*
2 *Furthermore, Hefter teaches wherein the client device is portable (col. 4, lines*
3 *43-45).*

4 In response, the applicants respectfully states that it was shown that Hefter fails to teach the
5 claimed invention, and claim 2 is allowable because it depends on claim 1.

6 *c. As per claim 4, Hefter teaches wherein the step of connecting includes*
7 *dialing-up directly to the serving entity (See col. 9, lines 34-35)..*

8 *d. As per claim 5, Hefter teaches wherein the step of viewing is performed*
9 *employing a viewing device collocated with said client device (See col. 5, lines*
10 *46-51).*

11 *e. As per claim 6, Hefter teaches wherein the viewing device depicts*
12 *information in a form including at least one of: text, graphics, images, light*
13 *display, voice or any combination of these (See col. 5, lines 46-5 1).*

14 *f. As per claim 7, Hefter in view of Sawada teaches the claimed invention as*
15 *described above. However, Hefter fails to teach wherein the step of selecting*
16 *includes employing a menu. Sawada teaches wherein the step of selecting includes*
17 *employing a menu (See col. 2, lines 27-3 8)*

18 *It would have been obvious to one with ordinary skill in the art at the time*
19 *the invention was made to incorporate the teaching of Sawada in the claimed*
20 *invention of Hefter in order to make remotely control home devices (See col. 1,*
21 *lines 30-34).*

22 *g. As per claim 8, Hefter in view of Sawada teaches the claimed invention as*
23 *described above. However, Hefter fails to teach wherein the step of viewing is*
24 *performed employing a web-browser and the serving entity is a web-server.*

25 *Sawada teaches wherein the step of viewing is performed employing a*
26 *web-browser and the serving entity is a web-server (See col. 2, lines 27-38).*

27 *It would have been obvious to one with ordinary skill in the art at the time*
28 *the invention was made to incorporate the teaching of Sawada in the claimed*
29 *invention of Heifer in order to make remotely control home devices (Sec col. 1,*
30 *lines 30-34).*

31 *h. As per claim 9, Hefter teaches wherein the step of connecting includes*
32 *dialing-up to the serving entity through a data network to which the serving entity*
33 *is connected (See col. 9, lines 33-35).*

34 *i. As per claim 10, Heifer teaches wherein the data network is the Intranet*

1 *controlled by an Internet Service Provider (See col. 7, lines 21-63).*

2 *j. As per claim 11, Hefter et teaches wherein the data network uses the*
3 *TCP/IP protocol suite for transporting information (See col. 7, lines 46-63).*

4 *k. As per claim 12, Hefter teaches said serving entity employing attributes of*
5 *said circuit switch network in authenticating said user (See col. 9, lines 33-55).*

6 *l. As per claim 13, Hefter teaches wherein said attributes include a*
7 *telephone number of said client device (See col. 9, lines 33-55).*

8 *m. As per claim 14, Heifer teaches wherein wherein said attributes include a*
9 *telephone number of said serving entity (See col. 9, lines 33-55).*

10 *n. As per claim 15, Hefter teaches the claimed invention as described above.*
11 *However, Hefter fails to teach establishing credentials so that said at least one*
12 *remote service can be manipulated in a secure manner on the serving entity.*
13 *Sawada teaches establishing credentials so that said at least one remote*
14 *service can be manipulated in a secure manner on the serving entity (See col. 10,*
15 *lines 46-58).*

16 *It would have been obvious to one with ordinary skill in the art at the time*
17 *the invention was made to incorporate the teaching of Kawasaki et al in the*
18 *claimed invention of Hefter in view of Sawada in order to manage home*
19 *appliances through the telephone network (See col. 5, lines 19-29).*

20 *o. As per claim 16, Heifer teaches the claimed invention as described above.*
21 *However, Hefter fails to teach wherein the step of viewing views the list on a*
22 *viewing device in a manner that depends on the user's access privileges to said at*
23 *least one remote service.*

24 *Sawada teaches wherein the step of viewing views the list on a viewing*
25 *device in a manner that depends on the user's access privileges to said at least*
26 *one remote service (See col. 2, lines 16-52).*

27 *It would have been obvious to one with ordinary skill in the art at the time*
28 *the invention was made to incorporate the teaching of Kawasaki et al in the*
29 *claimed invention of Hefter in view of Sawada in order to manage home*
30 *appliances through the telephone network (See col. 5, lines 19-29).*

31 *p. As per claim 17, Hefter teaches wherein the sewing entity providing access*
32 *to at least one service agent used to access and control said at least one remote*
33 *service (See col. 9, lines 11-26).*

34 *q. As per claim 18, Hefter teaches wherein at least one of said at least one*
35 *service agent is a computer software module executable on a computer (See col.*
36 *9, lines 11-26).*

1 *r. As per claim 19, Hefter teaches activating said software module prior to*
2 *invoking a particular remote service (See col. 10, lines 44-64).*

3 *s. As per claim 20, Hefter teaches activating said software module on*
4 *demand after a particular remote service has been invoked (See col. 10, lines*
5 *44-64).*

6 *t. As per claim 21, Hefter teaches storing said software module at a data*
7 *repository (See col. 10, lines 44-64).*

8 *u. As per claim 22, Hefter teaches storing further comprising dynamically*
9 *retrieving and activating said software module from the data repository after*
10 *invoking a particular remote service (See col. 9, lines 33-58).*

11 *v. As per claim 23, Heifer teaches wherein said wireless, circuit-switched,*
12 *voice telephony network is a first generation, analog, cellular network (See col. 4,*
13 *lines 42-62).*

14 *w. As per claim 24, Hefter teaches wherein said wireless, circuit-switched,*
15 *voice telephony network is a second generation, digital, cellular network (See col.*
16 *4, lines 42-62).*

17 *x. As per claim 25, Hefter teaches wherein the step of dialing-up directly to*
18 *the service entity further includes passing dialing signaling and control data to*
19 *the serving entity through an intermediary data network (See col. 5, lines 46-52).*

20 *y. As per claim 26, Hefter teaches wherein the step of dialing-up to the*
21 *serving entity through a data network, further includes dialing-up to the serving*
22 *entity through a sequence of at least one data network, the last one of which the*
23 *serving entity is attached to (See col. 5, lines 46-52 and col. 6, lines 27-48).*

24 In response, the applicants respectfully states that all these claims are allowable, each for itself and
25 at least because each ultimately depends on an allowable claim.

26 *z. As per claim 31 Hefter teaches a broadband network with enterprise*
27 *wireless communication systems for residential and business environment.*
28 *Furthermore, Hefter teaches an apparatus attaches on a home network for a user*
29 *using a client device attached to a wireless, circuit-switched, voice telephony*
30 *network, to interact with at least one service on said home network, said*
31 *apparatus comprising: a telephone modem to directly receive an incoming*
32 *call from a client device (See col. 7, lines 1-20), and also to receive and*
33 *transmit data over a telephone network, said telephone modem having a*

client port through which the apparatus attaches to the telephone network (See col. 9, lines 33-57), said apparatus being a single apparatus through which a use with the user client device can establish communication in one step, said client device employing only one of a cellular voice network and a PSTN (See col. 4, lines 45-53); a dial-in service module to implement dial-in logic for the client device; and a protocol transport module to implement protocols needed to transport data back and forth between a browser application in the client device and a browser server module (See page 2, paragraph [0014]). However, Heifer fails to teach a browser server module for managing data for remote display and a protocol transport module to implement protocols needed to transport data back.

Sawada teaches managing data for remote display and a protocol transport module to implement protocols needed to transport data back (See col. 2, lines 20-49).

It would have been obvious to one with ordinary skill in the art at the time the invention was made to incorporate the teaching of Sawada in the claimed invention of Heifer in order to in order to make remotely control home devices (See col. 1, lines 30-34).

In response, the applicants respectfully states that exception is taken with the claimed reading of the elements of claim 31 and Hefter with Sawada. Claim 31 is an apparatus claim and as with claim 1, neither Hefter and/or Sawada have the elements of claim 31. Claim 31 reads

31. An apparatus attached on a home network for a user using a client device attached to a wireless, circuit-switched, voice telephony network, to interact with at least one service on said home network, said apparatus comprising:

a telephone modem to directly receive an incoming call from the client device, and also to receive and transmit data over a telephone network, said telephone modem having a client port through which the apparatus attaches to the telephone network, said apparatus being a single apparatus through which a user with the ~~user~~ client device can establish communication in one step,

said client device employing only one of a cellular voice network and a PSTN;

a dial-in service module to implement dial-in logic for the client device;

1 a browser server module for managing data for remote display; and
2 a protocol transport module to implement protocols needed to transport data back and
3 forth between a browser application in the client device and said browser server module.

4 A review of the cited references shows that the combination apparently do not teach, allude to or
5 make obvious a "client device employing **only one of a cellular voice network and a PSTN.**
6 The combination apparently do not teach, allude to or make obvious "a dial-in service module to
7 implement dial-in logic for the client device. The combination apparently do not teach, allude to
8 or make obvious "a browser server module for managing data for remote display." The
9 combination apparently do not teach, allude to or make obvious "a protocol transport module to
10 implement protocols needed to transport data back and forth between a browser application in the
11 client device and said browser server module." Neither cited reference is concerned with protocol
12 transport, implementing dial-in logic, managing data for remote display, or a protocol transport
13 module. Thus claim 31 and all claims that depend thereon are allowable over the cited art.

14 *aa. As per claim 32, Hefter in view of Sawada teaches the claimed*
15 *invention as describe above. However, Heifer teaches wherein said browser*
16 *server is used to obtain, organize, and manipulate data received from and*
17 *data sent to the client device through the protocol transport module (See col. 8,*
18 *lines 5-10).*

19 In response, the applicants respectfully states that it was shown that Hefter and Sawada fail to
20 teach the invention in claim 31. Hefter col. 5, lines 5-10 reads:

21 "controller 112, which in turn, controls the base stations 116. Controller 112
22 communicates with computer network 104 via interface 101 with PSTN 110. To achieve
23 the desired handover functionality required in wireless networks and contemplated by this
24 invention, base stations 116, each communicate with a corresponding controller 112. The
25 various components of network 10 will now be described in more detail. As disclosed in
26 further detail below, network 104 connects telephone and computers to controller 112."

27 This is not an indication of a teaching "teaches wherein said browser server is used to obtain,
28 organize, and manipulate data received from and data sent to the client device through the

1 protocol transport module," as stated in the office communication above. So claim 32 is
2 allowable for itself and because it depends on claim 31.

3 *ab. As per claim 33, Hefter in view of Sawada teaches the claimed invention*
4 *as described above. However, Hefter fails to teach wherein said data sent to the*
5 *client device are displayed and viewed by the browser application in the client*
6 *device.*

7 *Sawada teaches wherein said data sent to the client device are displayed*
8 *and viewed by the browser application in the client device. (See col. 2, lines*
9 *20-49).*

10 *It would have been obvious to one with ordinary skill in the art at the time*
11 *the invention was made to incorporate the teaching of Sawada in the claimed*
12 *invention of Hefter in order to in order to make remotely control home devices*
13 *(See col. 1, lines 30-34).*

14 In response, the applicants respectfully states that exception is taken with the claimed reading of
15 the elements of claim 33 and Hefter with Sawada. A review of the cited portion apparently fails
16 to make the showing stated by the office communication. So claim 33 is allowable for itself and
17 because it depends on claim 31.

18 *ac. As per claim 34, Hefter in view of Sawada teaches the claimed invention*
19 *as described above. However, Hefter fails to teach wherein said data sent*
20 *includes a list of services that are accessible by the client device.*
21 *Sawada teaches wherein said data sent includes a list of services that are*
22 *accessible by the client device (See col. 2, lines 20-49).*

23 *It would have been obvious to one with ordinary skill in the art at the*
24 *time the invention was made to incorporate the teaching of Sawada in the*
25 *claimed invention of Hefter in order to in order to make remotely control home*
26 *devices (See col. 1, lines 30-34).*

27 In response, the applicants respectfully states that exception is taken with the claimed reading of
28 the elements of claim 34 and Hefter with Sawada. A review of the cited portion apparently fails
29 to make the showing stated by the office communication. So claim 34 is allowable for itself and
30 because it depends on claim 31.

31 *ad. As per claim 35, Heifer in view of Sawada teaches the claimed invention*
32 *as described above. However, Hefter fails to teach wherein said data received by*
33 *the browser application in the client device include a selection of at least one*
34 *service the user of the client device controls and an action to be taken for a*
35 *selected service, and upon receipt of the action the browser server interacts*

1 *with a particular service agent to implement the control logic for*
2 *controlling the **selected** service, wherein a control signal generated by*
3 *the **service agent exits the apparatus through the client port.***

4 *Sawada teaches wherein said data received by the browser*
5 *application in the client device include **a selection of at least one service***
6 *the **user of the client device controls and an action to be taken for a***
7 *selected service, and upon receipt of the action the browser server interacts*
8 *with a particular service agent to implement the control logic for*
9 *controlling the selected service, wherein a control signal **generated by the***
10 ***service agent exits the apparatus through the client port** (See col. 2, lines*
11 *20-49).*

12 *It would have been obvious to one with ordinary skill in the art at*
13 *the time the invention **was made to incorporate the teaching of Sawada***
14 *in the **claimed invention of Hefter in order to in order to make remotely***
15 *control home devices (See col. 1, lines 30-34).*

16 In response, the applicants respectfully states that exception is taken with the claimed reading of
17 the elements of claim 35 and Hefter with Sawada and the it "would have been obvious" statement
18 above. A review of the cited portion apparently fails to make the showing stated by the office
19 communication. So claim 35 is allowable for itself and because it depends on claim 31.

20 *ae. As per claim 36, Hefter in view of Sawada teaches the claimed*
21 *invention as described above. Furthermore, Hefter **teaches** wherein said*
22 *dial-in **server module triggers at least one** particular module in the*
23 *apparatus to process any incoming calls and requests from a client device*
24 *(See col. 9, lines 33-55)*

25 In response, the applicants respectfully states that exception is taken with the claimed reading of
26 the elements of claim 36 and Hefter with Sawada. A review of the cited portion apparently fails
27 to make the showing stated by the office communication. So claim 36 is allowable for itself and
28 because it depends on claim 31.

29 *af. As per claim 37, Hefter in view of Sawada teaches the claimed*
30 *invention as described above. Furthermore, Heifer teaches wherein said*
31 *dial-in server module performs user authentication (Sec col. 9, lines 11-25)*

32 In response, the applicants respectfully states that exception is taken with the claimed reading of
33 the elements of claim 36 and Hefter with Sawada. A review of the cited portion apparently fails

1 to make the showing stated by the office communication. So claim 36 is allowable for itself and
2 because it depends on claim 31.

3 **6.** *Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable*
4 *over U.S. patent No. 7,092,699 to Hefter in view of U.S. Patent No. 6,*
5 *735,719 to Sawada as applied to claims 1 above, and further in view of*
6 *U.S. Patent No. 6,988,070 to Kawasaki et al.*

7 It is noted that third citation, the cited art to Kawasaki, US Patent 6,988,070, filed: May 11, 2001,
8 is entitled: "Voice control system for operating home electrical appliances". The Kawasaki
9 abstract reads:

10 "A voice control system for managing home electrical appliances includes a home agent
11 server (HAS) connected to the home electrical appliances, a microphone and a speaker
12 linked to the agent server through an in-house network. An transaction processing (TP)
13 program runs on HAS and interprets the user's voice request to find a destined appliance
14 and a manner of control the same, and performs the requested control to the destined
15 appliance. The result is notified to the user by means of a voice message".

16 There is apparently no reason to introduce Kawasaki to combine with Hefter and Sawada except
17 using hindsight. But even the combination does not make the inventions of claims 3-26 obvious.

18 *a. As per claim 3, Hefter in view of Sawada teaches the claimed invention as*
19 *described above. Furthermore, Hefter teaches wherein the client device is a*
20 *cellular telephone (See col. 4, lines 43-45); wherein the step of connecting*
21 *includes dialing-up directly to the serving entity (See col. 9, lines 34-35); wherein*
22 *the step of connecting includes dialing-up directly to the serving entity; wherein*
23 *the viewing device depicts information in a form including at least one of: text,*
24 *graphics, images, light display, or any combination of these (See col. 5, lines*
25 *46-51); wherein the step of connecting includes dialing-up to the serving entity*
26 *through a data network to which the serving entity is connected (See col. 9, lines*
27 *33-55); wherein the data network is the Intranet controlled by an Internet Service*
28 *Provider; wherein the data network uses the TCP/IP protocol suite for*
29 *transporting information (See col. 7, lines 46-63); wherein said wireless,*
30 *circuit-switched, voice telephony network is a first generation, analog, cellular*
31 *network; wherein said wireless, circuit-switched, voice telephony network is a*
32 *second generation, digital cellular network (See col. 5, lines 25-45); wherein the*
33 *step of dialing-up directly to the service entity further includes passing dialing*
34 *signaling and control data to the serving entity through an intermediary data*

network (See col. 9, lines 33-55); wherein the step of dialing-up to the serving entity through a data network, further includes dialing-up to the serving entity through a sequence of at least one data network, the last one of which the serving entity is attached to (See col. 9, lines 33-55); wherein at least one of said at least one service agent is a computer software module executable on a computer; serving entity employing attributes of said circuit switch network in authenticating said user, wherein said attributes include a telephone number of said client device, and wherein said attributes include a telephone number of said serving entity (See col. 9, lines 33-55); establishing credentials so that said at least one remote service can be manipulated in a secure manner on the serving entity (See col. 9, lines 11-26); the serving entity providing access to at least one service agent used to access and control said at least one remote service (See col. 9, lines 11-26); However, Hefter fails to teach wherein at least one of said at least one service agent is a computer software module executable on a computer; wherein the step of viewing the list on a viewing device in a manner that depends on the user's access privilege to said at least one remote service, activating said software module prior to invoking a particular remote service; activating said software module on demand after a particular remote service has been invoked; storing said software module at a data repository; and dynamically retrieving and activating said software module from the data repository after invoking a particular remote service

Sawada teaches wherein at least one of said at least one service agent is a computer software module executable on a computer; wherein the step of viewing the list on a viewing device in a manner that depends on the user's access privilege to said at least one remote service (See col. 2, lines 16-52).

It would have been obvious to one with ordinary skill in the art at the time the invention was made to incorporate the teaching of Sawada in the claimed invention of Hefter in order to make remotely control home devices (See col. 1, lines 30-34). However, Sawada fails to explicitly teach activating said software module prior to invoking a particular remote service; activating said software module on demand after a particular remote service has been invoked; storing said software module at a data repository~ and dynamically retrieving and activating said software module from the data repository after invoking a particular remote service.

Kawasaki et al teaches activating said software module prior to invoking a particular remote service activating said software module on demand after a particular remote service has been invoked; storing said software module at a data repository; and dynamically retrieving and activating said software module from the data repository after invoking a particular remote service (See col. 3, lines 36-40 and col. 5, lines 19-29).

It would have been obvious to one with ordinary skill in the art at the time the invention was made to incorporate the teaching of Kawasaki et al in the claimed invention of Hefter in view of Sawada in order to manage home appliances through the telephone network (See col. 5, lines 19-29).

In response, the applicants respectfully states that claim 3 is a very narrow claim. It is allowable even when Hefter Sawada are combined with Kawasaki, It has a special combination of many elements useful for a particular embodiment of the resent invention. Even if the office communication would be correct, which applicants take exception to, that the combined art makes each element in claim 3 obvious, a new, novel and advantageous combination is allowable. Thus claim 3 is allowable for itself and because it depends on claim 1.

Thus, applicants respectfully states that all these claims are allowable each for itself and/or because each ultimately depends on an allowable claim.

As stated above, Claims 38 and 39 are added to protect particular embodiments of this invention. These are particularly narrow, and further have capability of provide implementation which are selective to an implementor. The selectivity further makes these claims extremely narrow but advantageous to the implemntor.

It is anticipated that this amendment brings allowance of claims 1-39. If any question remains, please contact the undersigned. Please charge any fee necessary to enter this paper to deposit account 50-0510.

Respectfully submitted,

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